

#### **PATENT**

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:	) Group Art Unit: TBA
Karim MALIK et al.	BOX: MISSING PARTS
Serial No.: 10/031,067	)
Filed: January 15, 2002	) Docket No. 000487.00011
For: DIAGNOSTIC METHOD	)

# RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGANTED/ELECTED OFFICE (DO/EO/US)

**Assistant Commissioner of Patents** 

Washington, D.C. 20231 Attn: Box Missing Parts

Dear Sir:

In response to the Notice to File Missing Requirements, mailed April 1, 2002, the Applicants are hereby submitting the executed declaration for filing in the above-identified application. A sequence listing on computer readable form as well as a statement verifying that the paper copy and computer readable from are the same are also enclosed.

The Commissioner is authorized to charge \$120.00 to Deposit Account No. 19-0733, to cover the following:

\$\_65.00 - Surcharge for late declaration.; and

\$ 55.00 – One month extension of time fee.

10031067 MUNICIPAGH 00000073 190733 10031067

65.00 CH

SYY. 3/3000 MKKYPAGH 00000073 190733 10031067

ID FURNIS 55.00 CH

Page 2

It is believed that these fees as calculated are correct. However, if an additional fee is required, please charge Deposit Account No. 19-0733.

Respectfully submitted,

July 1, 2002

By:

arah A. Kag

Registration No. 32,141

Banner & Witcoff, Ltd. Eleventh Floor 1001 G Street, N.W. Washington, D.C. 2001 (202) 508-9100 TOTAL AMOUNT OF PAYMENT

# **FEE TRANSMITTAL** for FY 2002

Patent fees are subject to annual revision.

120.00

Complete if Known				
Application Number	10/031,067	#		
Filing Date	January 15, 2002			
First Named Inventor	Karim MALIK et al.			
Examiner	TBA			
Group / Art Unit	TBA			
Attorney Docket No.	000487.00011			

		METHO	O OF P	AYMENT (check one)					FEE C	ALCULATION (continued)	
The Commissioner is hereby authorized to charge		3. ADI	3. ADDITIONAL FEES								
1.		indicate	ed fees	and credit any over paym	ents to:		Large Entity		Small Entity		
Done	noit					Fee	Fee	Fee	Fee	For Board Alex	Fee
Depo Acco		19-073	3			Code	(\$)	Code	(\$)	Fee Description	Paid
Num						105	130	205	65	Surcharge - late filing fee or oath	65.00
Deno	Deposit			127	50	227	25	Surcharge - late provisional filing fee or cover sheet.			
Account Banner & Witcoff			139	130	139	130	Non-English specification				
Nam		L .				147	2,520	147	2,520	For filing a request for reexamination	
	Under 37	y Additiona CFR 1.16	and 1.1	7		112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
	See 37 C			y status.		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
2.	Payme	nt Enclose	ed:			115	110	215	55	Extension for reply within first month	55.00
☐ Check ☐ Credit card ☐ Money ☐ Other Order				116	400	216	200	Extension for reply within second month			
			FEE C	ALCULATION		117	920	217	460	Extension for reply within third month	
1. E Large	BASIC FILE	ING FEE	ntity			118	1,440	218	720	Extension for reply within fourth month	
Fee	•		•	Fee Description		128	1,960	228	980	Extension for reply within fifth month	
Code	(\$)	Code (	\$)	•	Fee Paid	119	320	219	160	Notice of Appeal	
101	740	201 3	370	Utility filing fee		120	320	220	160	Filing a brief in support of an appeal	
106	330	206 1	165	Design filing fee		121	280	221	140	Request for oral hearing	
107 108				Plant filing fee Reissue filing fee		138	1,510	138	1,510	Petition to institute a public use proceeding	
114	160	214 8		Provisional filling fee		140	110	240	55	Petition to revive – unavoidable	
						141	1,280	241	640	Petition to revive - unintentional	
		SUE	BTOTAL	L (1)	\$0	142	1,280	242	640	Utility issue fee (or reissue)	
2 EVT	RA CLAIN	4 EEEe				143	460	243	230	Design issue fee	
2. EAT	(A CLAIII	n FEES		Extra Fee from	Fee	144	620	244	310	Plant issue fee	
				Claims below	Paid	122	130	122	130	Petitions to the Commissioner	
Total Clain Independen		-20 *	ř	×		123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
Claims		-3 **	• = [	×	=	126	180	126	180	Submission of Information Disclosure Stmt	
Multiple Dependent Large	Entity	Small	Entity	x	= 0	581	40	581	40	Recording each patent assignment per property (times number of properties)	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
103	18	203	9	Claims in excess of 20		149	740	249	370	For each additional invention to be	
102	84	202	42	Independent claims in	excess of 3				- · •	examined (37 CFR § 1.129(b))	
104	280	204	140	Multiple dependent cla	im, if not paid	179	740	279	370	Request for Continued Examination	
109	84	209	42	** Reissue independen original patent	t claims over	(RCE)	,			·	
110	18	210	9	** Reissue claims in ex over original patent	cess of 20 and	169	900	169	900	Request for expedited examination of a design application	
			SI	UBTOTAL (2) (\$)0							
******	hor n=====	ich poid if		· · · · · · · · · · · · · · · · · · ·		Other fo	ee (specif	ý)	-		
or num	iber previou	usiy palu, ir	greater	For Reissues, see above		*Redu	ced by Ba	sic Filin	g Fee P	aid SUBTOTAL (3) (\$) 12	20.00

SUBMITTED BY				Con	nplete (if applicable)
Name (Print/Type)	Sarah A. Kagan	Registration No. Attorney/Agent)	32,141	Telephone	202-508-9100
Signature	Sarah	I Kagan		Date	July 1, 2002



#### UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 2023

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10/031,067

Karim Malik

000487.00011

INTERNATIONAL APPLICATION NO.

PCT/GB00/02741

I.A. FILING DATE

PRIORITY DATE

07/17/2000

07/15/1999

Sarah A Kagan Banner & Witcoff 1001 G Street N W 11th Floor Washington, DC 20001

APR 0 8 2002

RECEIVED

BANNER AND WITCOFF

**CONFIRMATION NO. 5996** 

**371 FORMALITIES LETTER** 

OC000000007754860\*

Date Mailed: 04/01/2002

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Tradema Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- o Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- o Information Disclosure Statements
- Preliminary Amendments
- Small Entity Statement

\$ 2002 dice 12002 2002 last slay

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- o Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items MUST be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- o For guestions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase Patentin Software, call (703) 306-2600
  - □ For Patentln Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

**VONDA M WALLACE** 

Telephone: (703) 305-3736

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,067	PCT/GB00/02741	000487.00011

FORM PCT/DO/EO/905 (371 Formalities Notice)